

1 BILL NO. Z-80-08- 07

2 ZONING MAP ORDINANCE NO. Z- Loch

3
4 AN ORDINANCE amending the City of
5 Fort Wayne Zoning Map No. J-26.

6
7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
8 FORT WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is
10 hereby designated a B-4 District under the terms of Chapter 33,
11 Municipal Code of the City of Fort Wayne, Indiana 1974; and the
12 symbols of the City of Fort Wayne Zoning Map J-26, referred to
13 therein, established by Section 33-11 of said Chapter are hereby
14 changed accordingly, to-wit:

15 The North 2.203 acres of the South 4.203
16 acres of Lot #2 in Archer's Out Lots in
17 Section 27, Township 31 North, Range 12
18 East, Allen County, Indiana and recorded
in Plat Book 1, page 37 in the Office of
the Recorder of Allen County, Indiana, more
particularly described as follows, to-wit:


19 Beginning at the Northeast corner of the
20 South 2 acres of said Lot #2, said North-
21 east corner being also a Northeast corner
22 of Schomburg Dells Addition Amended and
23 being situated on the East line of said
24 Lot #2; thence North, on and along the East
25 line of said Lot #2, being also the East
26 line of the Northwest Quarter of the North-
27 west Quarter of said Section 27 and the
28 centerline of Harris Road, a distance of
29 145.7 feet; thence Westerly, by an interior
30 angle of 90°-57' and parallel to the North
31 line of the South 2 acres of said Lot #2,
32 a distance of 658.68 feet (9.98 chains) to
the West line of said Lot #2; thence South,
by an interior angle of 89°-03', on and
along said West line, being also an East line
of Lot #13 in said Schomburg Dells Addition
Amended and partially defined by the East
right-of-way line of Dells Avenue as dedicated
in Deed Record 617, pages 184 and 185 in the
Office of said Recorder, a distance of 145.7
feet to the Northwest corner of the South 2
acres of said Lot #2; thence Easterly, by an
interior angle of 90°-57', on and along the
North line of said South 2 acres, being also
a North line of said Lot #13, a distance of
658.68 feet (9.98 chains) to the point of

beginning, containing 2.203 acres of land, subject to legal right-of-way for Harris Road and subject to an easement for sewer purposes over the North 15 feet thereof as established in Sewer Easement Resolution #65-1970 and subject to an easement for water main purposes over the West 20 feet of the East 40 feet thereof as recorded in Document #79-25144 in the Office of said Recorder and further subject to all other easements of record.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY AUGUST 8, 1980.


JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by E. Stark,
seconded by Salerno, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on the 8/12/80, 1980, at 6 o'clock M., E.S.T.

DATE: 8/12/80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by E. Stark,
seconded by Salerno, and duly adopted, placed on its
passage. ~~PASSAGE~~ (LOST) by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|---------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>0</u> | <u>9</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>BURNS</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>EISBART</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>GIAQUINTA</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>NUCKOLS</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>SCHMIDT, D.</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>SCHMIDT, V.</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>SCHOMBURG</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>STIER</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>TALARICO</u> | <u> </u> | <u>X</u> | <u> </u> | <u> </u> | <u> </u> |

DATE: 10-14-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No. _____
on the _____ day of _____, 19____.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of
_____ o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of
19____, at the hour of _____ o'clock _____ M., E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-08-09

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. J-26

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

10-14-80

CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 12, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-08-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

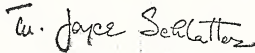
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and correct copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1980.

Certified and signed this
23rd day of September 1980.



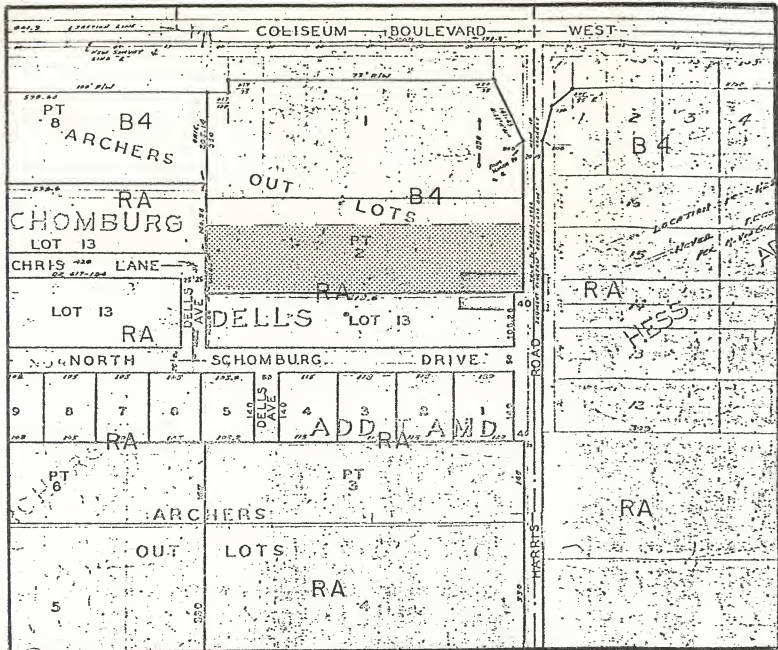
Joyce Schlatter
Secretary

RECEIPT

Date June 25 1980 No. 15807Received From First Seventh Day Church of Fort WayneAddress 201 E. Maple LaneFifty Dollars 00 Dollars \$50.00For Filing Fee for Reopening petition

| ACCOUNT | | | HOW PAID | | |
|-----------------|----|----|--------------|--|--|
| AMT. OF ACCOUNT | 50 | 00 | CASH | | |
| AMT. PAID | 50 | 00 | CHECK # 6254 | | |
| BALANCE DUE | 0 | 00 | MONEY ORDER | | |

By Gary Carter



Map No. J-26

Z-80-08-09

zk tazian

ASSOCIATES, INC.
710 S. BARR ST.
FT. WAYNE, IN 46802
219-743-0003
219-422-6363

ZOHRAB K. TAZIAN, PE & LS

president

JERRY K. WALKER, PE & LS

vice-president

CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

The North 2.203 acres of the South 4.204 acres of Lot #2 in Archer's Out Lots in Section 27, Township 31 North, Range 12 East, Allen County, Indiana and recorded in Plat Book 1, page 37 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows, to wit:

Beginning at the Northeast corner of the South 2 acres of said Lot #2, said Northeast corner being also a Northeast corner of Schomburg Dells Addition Amended and being situated on the East line of said Lot #2; thence North, on and along the East line of said Lot #2, being also the East line of the Northwest Quarter of the Northwest Quarter of said Section 27 and the centerline of Harris Road, a distance of 145.7 feet; thence Westerly, by an interior angle of $90^{\circ}-57'$ and parallel to the North line of the South 2 acres of said Lot #2, a distance of 658.68 feet (9.98 chains) to the West line of said Lot #2; thence South, by an interior angle of $89^{\circ}-03'$, on and along said West line, being also an East line of Lot #13 in said Schomburg Dells Addition Amended and partially defined by the East right-of-way line of Dells Avenue as dedicated in Deed Record 617, pages 184 and 185 in the Office of said Recorder, a distance of 145.7 feet to the Northwest corner of the South 2 acres of said Lot #2; thence Easterly, by an interior angle of $90^{\circ}-57'$, on and along the North line of said South 2 acres, being also a North line of said Lot #13, a distance of 658.68 feet (9.98 chains) to the point of beginning, containing 2.203 acres of land, subject to legal right-of-way for Harris Road and subject to an easement for sewer purposes over the North 15 feet thereof as established in Sewer Easement Resolution #65-1970 and subject to an easement for water main purposes over the West 20 feet of the East 40 feet thereof as recorded in Document #79-25144 in the Office of said Recorder and further subject to all other easements of record.

I hereby certify on the 4th day of February, 1980 that the above survey is correct.
Surveyed for: Indiana Association of Seventh Day Adventists
Survey No. JC-128

Zohrab K. Tazian



ZOHRAH K. TAZIAN, PE & LS
 president
 JERRY K. WALKER, PE & LS
 vice-president

zk tazian

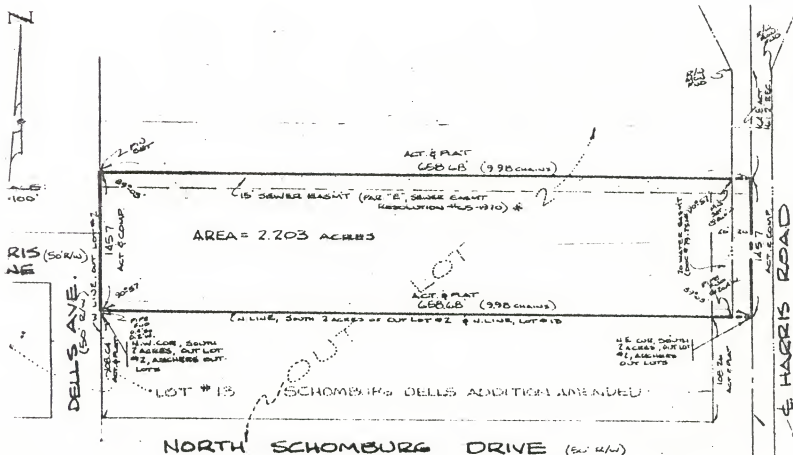
ASSOCIATES INC.
 710 S. BARR ST.
 FT. WAYNE, IN 46802
 219-743-0003
 219-422-6383

CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

See Page 2 for Legal Description.



I hereby certify on the 4th day of February, 1980 that the above survey is correct.
 Surveyed for: Indiana Association of Seventh Day Adventists
 Survey No.: JC-128

Zohrah K. Tazian

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED 6/24/80

INTENDED USE _____

I/We FN. Assoc. of Seventh-day Adventist
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an R4 District the property described as follows:

N 2.203A OF S 4.203A OF LOT #2 ARCHERS OUT LOTS

SEE ATTACHED SURVEY

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

FN. ASSOC. OF SEVENTH-DAY ADVENTISTS, BOX 1950 CARMEL IN. 46032 Norman F. McCauley

(Name) (Address) (Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Norman F. McCauley 261 E. Maple Road, 46806 456-9071
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 September 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 22, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-80-08-09
2. From R-A to B-4
3. Intended Use: Offices & Welding Shop
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The rezoning of this property would not be in the best interest of the adjacent residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten (pb)
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

DIGEST SHEET

TITLE OF ORDINANCE Zoning ~~Ordinance~~ Map Amendment 3-80-08-09DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Lot #2 Archer's Outlots

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property will
become B-4 - Roadside Business.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

Regulations